



AF

Attorney's Docket No.: 11327-008001

9p2173
IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Raymond Kurzweil et al.
Serial No. : 09/703,828
Filed : November 1, 2000
Title : POETRY SCREEN SAVER

Art Unit : 2173
Examiner : Blain T. Basom

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INTERVIEW SUMMARY AND REPLY TO ACTION OF JUNE 6, 2006

The undersigned and the examiner had a telephonic interview on June 27, 2006.
Discussed was the Notice of Non-Compliant Brief issued on June 6, 2006.

In the Notice, the examiner indicated that the Brief filed by Appellant was non-compliant because Appellant had argued certain dependent claims, but did not include the dependent claims in the Summary of Claimed Subject Matter section of the Brief.

Appellant contended that pursuant to 37 C.F.R. § 41.37 (c)(1) (v), reproduced below, that the brief was proper. 37 C.F.R. § 41.37 (c)(1) (v) states:

(v) *Summary of claimed subject matter.* A concise explanation of the subject matter defined in each of the independent claims involved in the appeal, which shall refer to the specification by page and line number, and to the drawing, if any, by reference characters. For each independent claim involved in the appeal and for each dependent claim argued separately under the provisions of paragraph (c)(1)(vii) of this section, every means plus function and step plus function as permitted by 35 U.S.C. 112, sixth paragraph, must be identified and the structure, material, or acts described in

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit

June 28, 2006

Signature

Marie Collins

Typed or Printed Name of Person Signing Certificate

Marie Collins

Applicant : Raymond Kurzweil et al.
Serial No. : 09/703,828
Filed : November 1, 2000
Page : 2 of 2

Attorney's Docket No.: 11327-008001

the specification as corresponding to each claimed function must be set forth with reference to the specification by page and line number, and to the drawing, if any, by reference characters.

Under 37 C.F.R. § 41.37 (c)(1) (v), a brief must include "a concise explanation of the subject matter defined in each of the independent claims involved in the appeal." 37 C.F.R. § 41.37 (c)(1) (v), further requires that "... each independent claim involved in the appeal and for each dependent claim argued separately under the provisions of paragraph (c)(1)(vii) of this section, every means plus function and step plus function as permitted by 35 U.S.C. 112, sixth paragraph, must be identified Since Appellant's claims do not include any means plus function or step plus function claims, the Summary of claimed subject section of Appellant's brief should not include a concise explanation for the separately argued dependent claims.

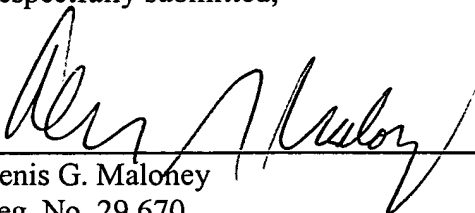
After due consideration by the examiner the examiner agreed that Appellant's brief was compliant with the rules and that no additional response to the Notice was required.

No fee is believed due. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: _____

6/28/06



Denis G. Maloney
Reg. No. 29,670

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906